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Legal Department, DL429  
Intellectual Property Administration  
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AF 12874#

#7  
11-6-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brian E. Lemoff et al.

Serial No.: 09/873,127

Examiner: Sung H. Pak

Filing Date: June 1, 2001

Group Art Unit: 2874

Title: Non - Blocking Mechanical Fiber Optic Matrix Switch

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

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NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 26, 2003, rejecting the following claims 1, 2, 4, 5, 8, 11, 12, 16 - 18, 20 and 26 - 28.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is **\$330.00**.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)(1)-(5)) for the total number of months checked below:

- |                                     |              |           |
|-------------------------------------|--------------|-----------|
| <input checked="" type="checkbox"/> | one month    | \$ 110.00 |
| <input type="checkbox"/>            | two months   | \$ 420.00 |
| <input type="checkbox"/>            | three months | \$ 950.00 |
| <input type="checkbox"/>            | four months  | \$1480.00 |

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of **\$440.00**. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: October 27, 2003 OR

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Michael H. Jester

Signature: Michael H. Jester

Respectfully submitted,  
Michael H. Jester

By

Michael H. Jester 10/27/03

Michael H. Jester  
Attorney/Agent for Applicant(s)

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Date: October 27, 2003

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01 FC:1401 330.00 DA

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02 FC:1251 110.00 DA